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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/697,133	10/27/2000	Katsuyuki Takeuchi	2000 1437A	6466

7590 07/08/2004

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EXAMINER

CHEVALIER, ROBERT

ART UNIT	PAPER NUMBER
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2615

DATE MAILED: 07/08/2004

*6*

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

Application No.

09/697,133

Applicant(s)

TAKEUCHI, KATSUYUKI

Examiner

Bob Chevalier

Art Unit

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 27 October 2000.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-16 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1, 2, 11 and 16 is/are rejected.
- 7) ☒ Claim(s) 3-10 and 12-15 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 27 October 2000 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date 5, 3.
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_.

***Claim Rejections - 35 USC § 103***

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1-2, 11, and 16, are rejected under 35 U.S.C. 103(a) as being unpatentable over the admitted prior art, Figure 11, described at page 2, line 25, to page 8, line 20, of the present Application, in view of the submitted prior art of Masaru et al (JP-11-069251).

The admitted prior art, Figure 11, of the present Application discloses a disc reproducing apparatus that shows substantially the same limitations recited in claims 1, and 16, including the feature of reproducing data from a plurality of kind of disc with data recorded thereon in different display formats and outputting on-screen message composed of font character (See the admitted prior art Figure 11, components 73, 7A, of the present Application), the feature of reading record data from the recording medium and the feature of displaying character signal sequence as on-screen message as specified in the present claims 1, and 16. (See the admitted prior art, Figure 11, components 73, 77, 78, 7A, 7B, and page 2, line 25, to page 5, line 22, of the present Application).

The admitted prior art, Figure 11, of the present Application, fails to specifically disclose the feature of controlling on-screen message in a manner to set a resolution of

the font to a value appropriate for the display format indicated by the record data as specified in the present claim 1.

Masaru et al discloses a receiver which includes the capability of controlling the resolution of character data used for on-screen display purposes based on program information retrieved from received stream of video data, the program information is indicative of the display format as specified in the present claim 1. (See Masaru et al's paragraph entitled "Solution").

It would have been obvious to one skilled in the art to modify the admitted prior art, Figure 11, of the present Application wherein the on-screen display means provided thereof (See Figure 11, component 7A, of the present Application) would incorporate the capability of controlling the resolution of character data used for on-screen display purposes based on program information retrieved from received stream of video data, the program information is indicative of the display format in the same conventional manner as is shown by Masaru et al. The motivation is to improve the quality of the on-screen messages display on the display screen as suggested by Masaru et al.

With regard to claim 2, the feature of determining the type of the disc based on record data and the feature of setting the resolution of the font to 12 dots by 18 lines as specified thereof would be present in the proposed combination indicated above during the standard resolution display operation. (See the admitted prior art described at page 5, lines 14-15, and see Masaru et al's processing part 141).

With regard to claim 11, the feature of determining the type of the disc based on the control bit as recited thereof is present in the proposed combination indicated

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above. (See the admitted prior art described at page 3, lines 14-17, and page 4, lines 6-7).

3. Claims 3-10, and 12-15, are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

***Conclusion***

4. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Matsushita discloses a display apparatus capable of on-screen display.

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Bob Chevalier whose telephone number is 703-305-4780. The examiner can normally be reached on MM-F (9:00-6:30), second Monday off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Andrew Christensen can be reached on 703-308-9644. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

B. Chevalier  
June 26, 2004.

  
ROBERT CHEVALIER  
PRIMARY EXAMINER